

quinn emanuel trial lawyers | new york

51 Madison Avenue, 22nd Floor, New York, New York 10010-1601 | TEL (212) 849-7000 FAX (212) 849-7100

WRITER'S DIRECT DIAL NO.
(202) 538-8122

WRITER'S EMAIL ADDRESS
sarahconannon@quinnemanuel.com

February 21, 2023

VIA ECF

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Johnson v. Musk, et al.*, Case No. 1:22-cv-05037

Dear Judge Hellerstein:

We represent Defendants Elon Musk and Tesla, Inc. in the above-referenced matter, and write with the consent of all parties pursuant to Your Honor's Individual Rules, Section 1.D., to respectfully request that the Court adjourn the initial court conference currently scheduled for February 24, 2023 (Dkt. No. 52). This is the second such request, the first of which was granted and adjourned the conference from January 20, 2023 to February 24, 2023.

On February 14, 2023, the Court entered the Parties' Stipulation and Order for Extension to file Responsive Pleading, which provides that the deadline for Defendants to move to dismiss or otherwise respond to the Second Amended Class Action Complaint ("Complaint") is March 31, 2023, Plaintiffs' opposition is due May 31, 2023, and Defendants' replies are due July 18, 2023 (Dkt. No. 53). Defendants anticipate that they will each file motions to dismiss, and that accordingly, no answers will be filed in this case until after the Court rules on those motions, if at all. Further, because the Complaint asserts alleged violations of the federal securities laws, this case is governed by the Private Securities Litigation Reform Act of 1995, 15 U.S. Code § 78u-4 ("PSLRA"), including the PSLRA's provision staying all discovery during the pendency of the motions to dismiss.

Accordingly, the parties have conferred and respectfully suggest that there is no need for the Court to expend judicial resources on an initial court conference at this time, and the parties have thus jointly agreed to make this request for adjournment.

quinn emanuel urquhart & sullivan, llp

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Respectfully,

A handwritten signature in blue ink, appearing to read "Sarah Concannon", is positioned above a horizontal line.

Sarah Concannon

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**